

Throughout her career, Ms. O'Hearn has also given back to the legal community. For example, she has served on the New Jersey Supreme Court's Committee on the Unauthorized Practice of Law; the U.S. Magistrate Judge Selection Committee for Camden, NJ; and the New Jersey Supreme Court District IV Ethics Committee.

While serving on the New Jersey Supreme Court's Ethics Committee, Ms. O'Hearn devoted hundreds of hours—pro bono—to prosecuting an attorney for violating the New Jersey Rules of Professional Conduct. After a 15-day trial before a Special Master, the attorney was found to have violated multiple Rules of Professional Conduct. Ms. O'Hearn also briefed and argued the case on appeal, where the ruling was affirmed.

Numerous groups and individuals have written letters of support for Ms. O'Hearn's nomination, including: the New Jersey State Bar Association, the Camden County Bar Association, and dozens of New Jersey Fellows with the American College of Trial Lawyers.

With her extensive experience, it is no surprise that Ms. O'Hearn was unanimously rated "well qualified" by the American Bar Association.

Ms. O'Hearn has the strong support of her home state Senators, Senators MENENDEZ and BOOKER, and she received bipartisan support in the Judiciary Committee.

With decades of legal experience on behalf of plaintiffs and defendants alike, Ms. O'Hearn is well prepared to serve with distinction in the District of New Jersey.

I urge my colleagues to join me voting in support of her nomination.

VOTE EXPLANATION

Ms. SINEMA. Madam President, I was necessarily absent, but had I been present would have voted yes on roll-call vote No. 414, on the confirmation of Gustavo A. Gelpi, of Puerto Rico, to be United States Circuit Judge for the First Circuit.

REMEMBERING COLONEL JEFFREY B. JONES

Mr. REED. Madam President, today I honor one of the most dedicated, selfless, and accomplished leaders I have known, my late classmate, COL Jeff Jones.

Jeff passed away in 2010 after a heroic battle with brain cancer, but his legacy will be engraved in steel this November when the Army names its new Psychological Operations Headquarters Building in Fort Bragg, NC, for him. Colonel Jones dedicated his life and career to our national defense, and this tribute could not be more fitting.

Jeff and I were classmates at West Point. When you first met Jeff, you knew he had special talents. While my other classmates and I were struggling just to pass inspection, Jeff was lead-

ing rifle drill and ceremony to perfection, honed by his years of military academy upbringing in Georgia. He was a natural, inspiring leader, and we all looked up to him. As cadets and later as officers, Jeff exemplified everything we strived to be as members of the Long Grey Line, always representing what was best and most noble about West Point, the Army, and America. He was the epitome of "Duty, Honor, Country."

We graduated together in 1971, and Jeff began his career as an infantry officer in the 509th Airborne in Germany, where he climbed the Matterhorn and trained with British and French airborne troops. He later commanded an infantry company at Fort Ord, CA, and met his wonderful wife Pamela along the way. His career moved swiftly, serving as aide-de-camp to some of the top generals of the day and earning advanced degrees from prestigious institutions. Presciently, while serving on the staff of the Assistant Secretary of Defense for International Security Affairs, he authored the study recommending the creation of U.S. Central Command.

Jeff also embarked on several international tours, including with the U.N. Truce Supervision Organization in Lebanon following the Beirut bombings and working with the U.S.-Soviet Nuclear Arms Control and Space Negotiations in Geneva in the 1980s.

He especially imparted his leadership through his command of the 8th Psychological Operations Battalion and later the 4th PSYOP Group, both at Fort Bragg. Under his command, military and civilian teams deployed across more than 60 countries on six continents, gathering key intelligence throughout peacetime, crisis, war, humanitarian, refugee, and counterdrug operations.

Jeff finally retired from Active Duty in 2001, after his final assignment as a defense attache in Paris, but his retirement was short-lived as 9/11 struck just months later. He was requested to serve on the NSC in a civilian capacity in the Office of Combating Terrorism and subsequently in the Defense Policy and Arms Control Directorate, and he served with distinction.

In 2006, Jeff was diagnosed with brain cancer. He battled for years, even as he continued to work and contribute to our national security. With Pam by his side, he passed away in 2010 and was posthumously inducted into the Special Operations Command's Commando Hall of Honor in 2013.

Jeff had a quiet, fearless strength that was powerful when you were in his presence. I consider myself extremely fortunate to have served alongside him and to have learned from his intellect, skill, character, and his love and devotion to Pam. And I am proud to have known him as my friend.

The Army's new "Colonel Jeffrey Jones Psychological Operations Headquarters" bears the name of a great man, and I know great things will be achieved there.

I am proud to honor the legacy of Colonel Jones, and I know the Members of the Senate will join me in recognizing the incredible contributions he made for our Nation.

TRIBUTE TO KOBYE NOEL

Mr. OSSOFF. Madam President, today let the Senate recognize the retirement of Ms. Kobye Noel, a public servant who has worked for 23 years in the U.S. Senate.

Ms. Noel served for over a decade with the Senate Budget Committee. She has also worked for Senator Kent Conrad, Senator Heidi Heitkamp, Senator Doug Jones, and for me and for Senator Reverend RAPHAEL WARNOCK. Her leadership has shaped the work of the Senate for longer than most of us have been here. To that, we owe Ms. Noel a tremendous debt.

Ms. Noel was instrumental in establishing Senator Reverend WARNOCK's and my offices this year. Her expertise and hard work have served Georgians to the highest standard.

For her colleagues, Ms. Noel has been a source of reassurance and generosity. She consistently lends a helping hand to others.

Ms. Noel's skill, commitment, and heart for service will be irreplaceable on my team. Ms. Noel will be dearly missed, but has become a lifelong friend for so many of us.

On behalf of the Senate, I express our heartfelt gratitude for Ms. Noel's service.

Thank you for sharing your brilliance with us, Ms. Noel. You embody the promise and integrity that should define the U.S. Senate.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 3005. A bill establishing appropriate thresholds for certain budget points of order in the Senate, and for other purposes.

S. 3006. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits for fiscal years 2022 through 2031.

S. 3007. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits.

S. 3008. A bill to establish the Federal Rainy Day Fund to control emergency spending.

S. 3009. A bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes.

S. 3010. A bill to cap noninterest Federal spending as a percentage of potential GDP to right-size the Government, grow the economy, and balance the budget.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2382. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Conforming Changes to Canada-Specific Hazardous Waste Import-Export Recovery and Disposal Operation Codes" (FRL No. 8562-01-OLEM) received in the Office of the President of the Senate on October 4, 2021; to the Committee on Environment and Public Works.

EC-2383. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; New York; Part 212, Process Operations" (FRL No. 9004-02-R2) received in the Office of the President of the Senate on October 4, 2021; to the Committee on Environment and Public Works.

EC-2384. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; MS; BART SIP and Regional Haze Progress Report" (FRL No. 9006-02-R4) received in the Office of the President of the Senate on October 4, 2021; to the Committee on Environment and Public Works.

EC-2385. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Environmental Protection Agency Acquisition Regulation; Unenforceable Commercial Supplier Agreement Terms, Class Deviations, and Update for Fixed Rates for Services—Indefinite Delivery/Indefinite Quantity Contract" (FRL No. 9998-55-OMS) received in the Office of the President of the Senate on October 4, 2021; to the Committee on Environment and Public Works.

EC-2386. A communication from the Vice President of River and Resources Stewardship, Natural Resources, Tennessee Valley Authority, transmitting, pursuant to law, the report of a rule entitled "Floating Cabins" (RIN3316-AA24) received on October 7, 2021; to the Committee on Environment and Public Works.

EC-2387. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Elimination of the Voluntary Trichinae Certification Program" ((RIN0579-AE59) (Docket No. APHIS-2020-0065)) received in the Office of the President of the Senate on October 5, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2388. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Stephen G. Fogarty, United States

Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2389. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General John M. Murray, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-2390. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Executive Order 13894 of October 14, 2019, with respect to the situation in and in relation to Syria; to the Committee on Banking, Housing, and Urban Affairs.

EC-2391. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13067 with respect to Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC-2392. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13664 with respect to South Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC-2393. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Eligibility of Mortgage Loan Participations as Collateral for Federal Home Loan Bank Advances" (2021-RI-01) received in the Office of the President of the Senate on October 5, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2394. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Statement of Policy Regarding Minority Depository Institutions" (RIN3064-ZA19) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2395. A communication from the Regulatory Specialist, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "ONRR 2020 Valuation Reform and Civil Penalty Rule: Delay of Effective Date" (RIN1012-AA27) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Energy and Natural Resources.

EC-2396. A communication from the Regulatory Specialist, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "ONRR 2020 Valuation Reform and Civil Penalty Rule: Delay of Effective Date; Request for Comment" (RIN1012-AA27) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Energy and Natural Resources.

EC-2397. A communication from the Regulatory Specialist, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "ONRR 2020 Valuation Reform and Civil Penalty Rule: Final Withdrawal Rule" (RIN1012-AA27) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Energy and Natural Resources.

EC-2398. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on the Treatment of Qualified Improvement Property under Sections 250(b) and 951A(d) and

Guidance Related to the Foreign Tax Credit" ((RIN1545-BP91 and RIN1545-BP70) (TD 9956)) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2399. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treatment of Distributions of Property From a Corporation to a Shareholder" ((RIN1545-BN80) (TD 9954)) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2400. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Certain Non-Government Persons Not Authorized to Participate in Examinations of Books and Writings as a Section 6103(n) Contractor" ((RIN1545-B012) (TD 9952)) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2401. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "User Fee for Estate Tax Closing Letter" ((RIN1545-BP75) (TD 9957)) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2402. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examinations of returns and claims for refund, credit or abatement; determination of tax liability" (Rev. Proc. 2021-41) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2403. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Nonresident Alien Deposit Interest Regulations" (Rev. Proc. 2020-15) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2404. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Nonresident Alien Deposit Interest Regulations" (Rev. Proc. 2020-15) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2405. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "COVID-19 Relief Under Sections 42, 142(d), and 147(d)" (Notice 2020-53) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

EC-2406. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Reporting Qualified Sick Leave Wages and Qualified Family Leave Wages Paid Pursuant to the Families First Coronavirus Response Act" (Notice 2020-54) received in the Office of the President of the Senate on October 6, 2021; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted: